File No. 210993

Committee Item No. <u>17</u> Board Item No. <u>15</u>

## **COMMITTEE/BOARD OF SUPERVISORS**

AGENDA PACKET CONTENTS LIST

**Committee:** <u>Government Audit and Oversight</u> Board of Supervisors Meeting:

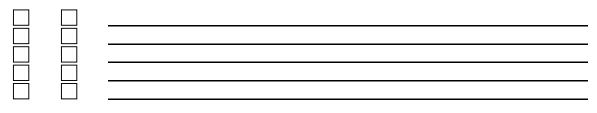
**Date:** Oct. 7, 2021 Date: Oct. 26, 2021

## **Cmte Board**

|             |             | Motion                                       |
|-------------|-------------|--|
|             |             |  |
|             |             | Resolution                                   |
| $\boxtimes$ | $\boxtimes$ | Ordinance                                    |
|             |             | Legislative Digest                           |
| $\square$   |             | Budget and Legislative Analyst Report        |
| $\square$   |             | Youth Commission Report                      |
| H           | H           | Introduction Form                            |
|             |             |  |
|             |             | Department/Agency Cover Letter and/or Report |
|             |             | MOU  |
|             |             | Grant Information Form                       |
|             |             | Grant Budget                                 |
| $\square$   |             | Subcontract Budget                           |
| $\square$   |             | Contract/Agreement                           |
| $\square$   | $\square$   | Form 126 – Ethics Commission                 |
| П           | Ħ           | Award Letter                                 |
| H           | H           |  |
|             |             | Application                                  |
|             |             |  |

## Public Correspondence

## OTHER



| Prepared by: | John Carroll | Date:   | Oct. 1, 2021  |
|--------------|--------------|---------|---------------|
| Prepared by: | John Carroll | Date:   | Oct. 15, 2021 |
| Prepared by: | John Carroll | _ Date: |               |

FILE NO. 210993

ORDINANCE NO.

| 1  | [Settlement of Lawsuit - Angela Sinicropi and Marin Takigawa - \$288,180]                      |
|----|--|
| 2  |  |
| 3  | Ordinance authorizing partial settlement of the lawsuit filed by Angela Sinicropi and          |
| 4  | Marin Takigawa against the City and County of San Francisco for \$288,180; the lawsuit         |
| 5  | was filed on August 20, 2015, in San Francisco Superior Court, Case No. CGC-15-                |
| 6  | 547492; entitled <u>David Alfaro, et al. v. City and County of San Francisco;</u> the lawsuit  |
| 7  | involves inverse condemnation arising out of flooding damage during major rainstorms           |
| 8  | in December of 2014; this settlement relates only to the diminution of real property           |
| 9  | value claims of plaintiffs Angela Sinicropi and Marin Takigawa, and does not include           |
| 10 | claims for property loss or for attorney's fees, costs and interest.                           |
| 11 |  |
| 12 | Be it ordained by the People of the City and County of San Francisco:                          |
| 13 | Section 1. Pursuant to Charter Section 6.102(5), the Board of Supervisors hereby               |
| 14 | authorizes the City Attorney to settle in part, and only as to plaintiffs Angela Sinicropi and |
| 15 | Marin Takigawa, the action entitled David Alfaro, et al. v. City and County of San Francisco,  |
| 16 | San Francisco Superior Court, Case No. CGC-15-547492 by the payment of \$288,180 to            |
| 17 | plaintiffs Angela Sinicropi and Marin Takigawa. The lawsuit involves inverse condemnation      |
| 18 | arising out of flooding damage during major rainstorms in December of 2014.                    |
| 19 | Section 2. The above-named action was filed in San Francisco Superior Court on                 |
| 20 | August 20, 2015. This is an action brought by owners or occupants of several dozen             |
| 21 | properties located in San Francisco against defendant City and County of San Francisco.        |
| 22 | Section 3. This is a partial settlement of the action. It resolves the diminution of real      |
| 23 | property value claims of commercial property owning plaintiffs Angela Sinicropi and Marin      |
| 24 | Takigawa. The parties have previously, separately settled the personal and real property       |
| 25 | damage claims of all property owners and diminution in value claims of residential property    |

| owners in this action. The parties will subsequently and separately address all claims for |
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| statutory attorney's fees relating to this action.   |
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| 1  | APPROVED AS TO FORM AND<br>RECOMMENDED:    | RECOMMENDED:                                 |
|----|--|--|
| 2  |  |  |
| 3  | DENNIS J. HERRERA<br>City Attorney         | SAN FRANCISCO PUBLIC UTILITIES<br>COMMISSION |
| 4  | /s/ Meredith B. Osborn                     | /s/MICHAEL CARLIN                            |
| 5  | MEREDITH B. OSBORN<br>Chief Trial Deputy   | Acting General Manager                       |
| 6  | FUNDS AVAILABLE:                           | APPROVED:                                    |
| 7  | /a/Dava Dagaarfialal                       |  |
| 8  | <u>/s/Ben Rosenfield</u><br>BEN ROSENFIELD |  |
| 9  | Controller                                 | Secretary, Public Utilities Commission       |
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